

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIRK TILDON FOSTER,

Defendant.

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8:21CR262

ORDER

This matter is before the court on the Unopposed Motion to Continue Trial [22]. Counsel needs additional time to resolve the matter short of trial. For good cause shown,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [22] is granted, as follows:

1. The jury trial now set for December 20, 2021 is continued to **February 28, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 28, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED: December 16, 2021.**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**